

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
AUGUST 17, 2004
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Vivian Rojas and Anthony W. Cobos. Excused Absence: Daniel S. Power. Late Arrival: Paul J. Escobar arrived at 9:53 a.m. Meeting was called to order at 9:10 a.m. and the invocation was given by Fire Chaplain Ed Sinke, followed by the Pledge of Allegiance to the Flag of the United States of America.

MEDAL PRESENTATION

Presentation of Lifesaving Medal to Police Officer Jaime Esparza by the El Paso Fire Department.

No action was taken on the following item:

Natural Resource Preservation impacting El Paso City's immediate environment currently. [Jorge Artalejo]

Mr. Jorge Artalejo, citizen, commented.

Motion made by Representative Cushing, seconded by Representative Cobos and unanimously carried to postpone two (2) weeks the discussion and action on the flooding problems that 50-60 businesses located at the intersection of McRae and Carnegie have continued to suffer over the years. Requests for flood control have been made to the City over the past 7 years and have not been addressed to date. Our taxes are going up as high as the water that is flooding our businesses when it rains. [Ali Bourselan and Robert Maupin]

Representative Escobar was not present for the vote.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to delete the discussion and action on City Attorney's Office. [Anita Blair]

Representative Escobar was not present for the vote.

No action was taken on the discussion and action for City Council to require for the Chief of Police and other law enforcement agencies to investigate and to adopt and follow procedures regarding the enforcement of the Texas Penal Code on aggravated sexual assault, section 22.021, that states that it is prohibited all sexual penetration of a person under the age of 17, force is not required; consent is not a defense, nor is there any exception for sexual relations with the person not more than three years older than the victim. Even though Texas Law requires a report, several local agencies involve in the protection of minors are not filing the required report with the local law enforcement agencies. And in some instances, when the report is filed, law enforcement agencies are failing to investigate. [People Helping Women]

2nd Motion:
Motion made by Representative Austin, seconded by Representative Cushing and carried to approve the Resolution as amended.

AYES: Representatives Austin, Cushing, Escobar, Rojas and Cobos
NAYS: Representative Cook
NOT PRESENT: Representative Lozano
EXCUSED: Representative Power

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eleven Thousand Five Hundred And No/100 Dollars (\$11,500.00, Loan-\$10,605.00 and Note-\$895.00), against the following described real property:

Lot 12, Block 11, Ranchland Hills Addition, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 1, Page 1, Plat records of El Paso County, Texas; known and numbered as 937 Lariat

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Five Hundred Ninety Six and 16/100 Dollars (\$596.16).

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eleven Thousand Five Hundred And No/100 Dollars (\$11,500.00, Loan-\$5,485.00 and Note-\$6,015.00), against the following described real property:

The East ½ of Lot 14, Block 2, Mesa Vista, No. Two, an addition to the City of El Paso, El Paso County, Texas; known and numbered as 8056 Gilbert

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Four Hundred Seventy Eight and 45/100 Dollars (\$478.45).

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Thirteen Thousand One Hundred Fifty And No/100 Dollars (\$13,150.00, Loan-\$12,450.00 and Note-\$700.00), against the following described real property:

Lot 7, Cates Addition, an Addition in the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 6, Page 27, Plat Records of El Paso County, Texas; known and numbered as 8760 Coloma

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eighteen Thousand And No/100 Dollars (\$18,000.00 - Loan), against the following described real property:

Tract 111, Singh Addition To The Town Of Ysleta, Texas Second Section, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 16, Page 39, Plat records of El Paso County, Texas; known and numbered as 9352 San Lorenzo

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Nine Thousand Six Hundred Fifty And No/100 Dollars (\$9,650.00 Loan-\$8,763.00, Grant-\$887.00), against the following described real property:

Lot 3, Block 1, Hacienda Heights, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 12, Page 11, Plat Records of El Paso County, Texas; known and numbered as 7523 Hacienda

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eighteen Thousand And No/100 Dollars (\$18,000.00), against the following described real property:

Lot 32, Singh Addition To The Town Of Ysleta, an Addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 15, Page 57, Plat Records of El Paso County, Texas; known and numbered as 9224 Delicias

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Thousand Three Hundred Forty Two and 52/100 Dollars (\$1,342.52).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Five Thousand Eight Hundred Fifty And No/100 Dollars (\$5,850.00, \$4,575.00-Loan \$1,275.00-Note), against the following described real property:

Tract 322, Loma Terrace No. 5a Section One, an Addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 12, Page 49, Plat Records of El Paso County, Texas; known and numbered as 8145 Wonderland

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Thousand Seventy Five and 16/100 Dollars (\$1,075.16).

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Motion made by Representative Cook, seconded by Representative Rojas and unanimously carried to postpone one (1) week the Resolution that the City Council approve the following proposed amendments to Chapter 5, Program for the Rehabilitation of Investor-Owned Properties, of the Community and Human Development Housing Programs Handbook as recommended by the Community and Human Development Director:

1. The method by which funding will be accessed will be changed by deleting the provision that availability will be through participation in a publicly advertised annual request for proposals process found at the top of Page 5-1. Project applications and proposals will be accepted and reviewed on a year-round basis.

2. Section I. Eligibility Requirements. Subsection B. (1) on Page 5-2 is being amended by amending the wording "Must have the highest ranking of the potential projects identified on the Interest List" to read: "Will be ranked among all other potential projects based on the greatest number of points utilizing the following factors (maximum 33 points). Priority in processing will be based on ranking and availability of funds:".

3. Section II. Financing. Subsection A. on Page 5-3 is being amended to include the requirement that the City must have a first lien without exception; and by providing refinancing of existing debt of up to \$5,000.00 per after-rehabilitation unit in order to achieve feasibility and a first lien for the City.

4. Section II. Financing. Subsection C. on Page 5-3 is being amended to read "The funds for the rehabilitation loan and grant will be drawn from the HOME Grant or the Community Development Block Grant."

Ms. Nathalie Prise, Interim Director for Community Development, and Ms. Debbie Hamlyn, Deputy Chief Administrative Office for Quality of Life Services, gave the particulars and answered questions from Council Members.

Representative Cook commented and asked questions.

Motion made by Representative Cook, seconded by Representative Rojas and carried to approve the Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the following project be designated for funding as a Community Housing Development Organization (CHDO) activity under the City's Fiscal Year 2002 HOME Grant Program:

PV Community Development Corporation 3323 Alameda Project
Construction - \$500,000.00

That the Mayor on behalf of the City, be authorized to sign a CHDO-HOME Financial Terms Contract with PV Community Development Corporation, a Community Housing Development Organization (CHDO) under the HOME Grant Program, in the amount of \$500,000.00, and that the Mayor be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (with Power of Sale) between the City, PV Community Development Corporation, and Ordonez Remodeling Inc.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the following gifts offered, identified further in Exhibit A:

1. One (1) pastel and mixed media on paper by **Susan Davidoff**, *Untitled*, 1985, 11" x 11", 14" x 13" framed, offered by James and Rene Shelton, El Paso, Texas, and
2. One (1) pastel and mixed media on paper by **Susan Davidoff**, *Untitled*, 1985, 11" x 9", 14" x 13" framed, offered by James and Rene Shelton, El Paso, Texas, and
3. One (1) artwork made of shirt labels and pins by **Joe Havel**, *Bruised/Coward*, 48 ¾" x 48 ¾" x 2 ¾" framed, offered by James and Rene Shelton, El Paso, Texas, and
4. One (1) egg tempera on panel by **Peter Hurd**, *The Coming of the Spaniards*, 16" x 52", offered by Claude and Katherine Blankiet, El Paso, Texas, and
5. One (1) egg tempera on panel by **Peter Hurd**, *The Law Comes to West Texas*, 16" x 52", offered by Claude and Katherine Blankiet, El Paso, Texas, and
6. One (1) artwork made of glass, steel, paper, and charcoal by **James Drake**, *Wall Knives*, 1990. 48" x 48" x 8". offered by Janice Niemi and Dennis Braddock, Seattle, Washington.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the application for the Metropolitan Medical Response System (MMRS) FY04 Program Continuation Grants. The application and associated forms are required in order for the City of El Paso to receive Federal Terrorism funding for three major grant funding areas to include Capability Focus Areas, Sustainment of Enhanced Capabilities for the Existing El Paso Metropolitan Medical Response System and Special Project Funding. The period of performance for these grants is October 1, 2004, to March 31, 2006, and will be administered by the El Paso City/County Office of Emergency Management. There is no cost to the City of El Paso.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **WHITNEY MOHRHAUSER**, to assist the El Paso Zoo as a Zoo Office Assistant at an hourly rate of \$8.33 for 40 hours per week. The term of the contract shall be for the period of August 18, 2004 through November 18, 2004.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to the MEMORANDUM OF AGREEMENT approved by City Council on January 13, 2004, between the New Mexico Department of Transportation ("NMDOT") and the City of El Paso ("City"), as the fiscal agent for the Metropolitan Planning Organization; and that the Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **RAUL AGUIRRE** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **PATRICIA HERNANDEZ** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **ARMINDA SUSSANA PALOMO** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **MIGUEL A. AVILA** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **JORGE DIEPPA** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **GEORGE RODRIGUEZ** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **MARTHA CAMPOS HOGAN** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **ROSA LAURA NIEVES** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **RAFAEL CARRILLO** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **MARGARITO "MAX" VENZOR** for Court Reporting services in the Municipal Court, at the rate of \$60.00 for each jury and non-jury court session for first 1 ½ hours, plus \$30.00 per hour for court reporting time which exceeds 1 ½ hours. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **DEE ANNE BOYD** for Court Reporting services in the Municipal Court, at the rate of \$60.00 for each jury and non-jury court session for first 1 ½ hours, plus \$30.00 per hour for court reporting time which exceeds 1 ½ hours. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JANIE D. RUIZ** for Court Reporting services in the Municipal Court, at the rate of \$60.00 for each jury and non-jury court session for first 1 ½ hours, plus \$30.00 per hour for court reporting time which exceeds 1 ½ hours. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CARLOS A. RINCON**, to assist the Municipal Court Department as a Deputy Court Clerk I at an hourly rate of \$9.98 for 20 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contract on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for this contract is in fiscal year **2003/2004** appropriations to be approved by the City Council.

PAVO REAL RECREATION CENTER

DEPARTMENT ID: 51510115, ACCOUNT 501011

1. CONTRACTOR: Rebecca A. Serrano, Instructor Aide, Step 1
DATES: August 18, 2004 through August 31, 2004
RATE PER HR: \$5.90
CONTRACT NO: **2003/2004-306**

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.

GALATZAN RECREATION CENTER

DEPARTMENT ID: 5151031, ACCOUNT 501011

1. CONTRACTOR: Raquel Baca, Daycare Instructor, Step 3
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$6.95
CONTRACT NO: **2004/2005-001**
2. CONTRACTOR: Catherine Bachelier, Daycare Instructor, Step 1
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$6.45
CONTRACT NO: **2004/2005-002**

3. CONTRACTOR: Luz de Lourdes Calderon, Assistant Day Care Instructor, Step 2
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$6.15
 CONTRACT NO: **2004/2005-003**
4. CONTRACTOR: Judith Enriquez, Assistant Day Care Instructor, Step 3
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$6.40
 CONTRACT NO: **2004/2005-004**
5. CONTRACTOR: Farideh Johnson, Assistant Day Care Instructor, Step 1
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$5.90
 CONTRACT NO: **2004/2005-005**
6. CONTRACTOR: Yolanda Moreno, Assistant Daycare Instructor, Step 1
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$5.90
 CONTRACT NO: **2004/2005-006**

NORTHEAST RECREATION CENTER
DEPARTMENT ID: 51510107, ACCOUNT: 501011

7. CONTRACTOR: Sandra L. Arvizo, Daycare Instructor Aide, Step 6
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$6.60
 CONTRACT NO: **2004/2005-007**
8. CONTRACTOR: Esther Bates, Daycare Director, Step 6
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$9.25
 CONTRACT NO: **2004/2005-008**
9. CONTRACTOR: Shannon M. Berg, Daycare Instructor Aide, Step 6
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$6.60
 CONTRACT NO: **2004/2005-009**
10. CONTRACTOR: Audrey Bishop, Daycare Instructor Aide, Step 3
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$5.85
 CONTRACT NO: **2004/2005-010**
11. CONTRACTOR: Jana Guillen, Daycare Instructor Aide, Step 5
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$6.90
 CONTRACT NO: **2004/2005-011**
12. CONTRACTOR: Aurelia Kidwiler, Daycare Instructor Aide, Step 4
 DATES: September 01, 2004 through August 31, 2005
 RATE PER HR: \$6.10
 CONTRACT NO: **2004/2005-012**

13. CONTRACTOR: Jennie E. Mobley, Daycare Instructor Aide, Step 6
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$6.60
CONTRACT NO: **2004/2005-013**
14. CONTRACTOR: Linda Scalza, Daycare Instructor, Step 6
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$8.05
CONTRACT NO: **2004/2005-014**
15. CONTRACTOR: Alma Stevenson, Daycare Instructor Aide, Step 3
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$5.85
CONTRACT NO: **2004/2005-015**

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

17. CONTRACTOR: Alex Alejandre, Pool Attendant, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-017**
18. CONTRACTOR: Mariam Assadian, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-018**
19. CONTRACTOR: Ayoub, Christina A., Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-019**
20. CONTRACTOR: Sylvia Beltran, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-020**
21. CONTRACTOR: Javier Carreno, Lifeguard, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.00
CONTRACT NO: **2004/2005-021**

22. CONTRACTOR: Sabrina Cox, Pool Attendant, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.00
CONTRACT NO: **2004/2005-022**
23. CONTRACTOR: Aira A. Dolz, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-023**
24. CONTRACTOR: Christian A. Dolz, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-024**
25. CONTRACTOR: Steven Duran, Lifeguard, Step 3
DATES: October 1, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-025**
26. CONTRACTOR: Mayra A. Hinojos, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-026**
27. CONTRACTOR: Thomas Jones, Lifeguard, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.40
CONTRACT NO: **2004/2005-027**
28. CONTRACTOR: David J. Juarez, Pool Attendant, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.40
CONTRACT NO: **2004/2005-028**
29. CONTRACTOR: Adrian Lopez, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-029**
30. CONTRACTOR: Carlos Lopez, Lifeguard, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.40
CONTRACT NO: **2004/2005-030**
31. CONTRACTOR: Louise B. Lopez, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-031**
32. CONTRACTOR: Marcela C. Macias, Swim Instructor Coordinator, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.50
CONTRACT NO: **2004/2005-032**

33. CONTRACTOR: Reyes Manriquez, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-033**
34. CONTRACTOR: Gerardo Martinez, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-034**
35. CONTRACTOR: Stephen Martinez, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-035**
36. CONTRACTOR: Rick M. Pena, Lifeguard, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.00
CONTRACT NO: **2004/2005-036**
37. CONTRACTOR: Michelle Toni Reyes, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-037**
38. CONTRACTOR: Carlos Rosales, Lifeguard, Step 3
DATES: October 01, 2004 through September 30 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-038**
39. CONTRACTOR: Jessica E. Sanchez, Indoor Pool Manager, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$8.00
CONTRACT NO: **2004/2005-039**
40. CONTRACTOR: Ruben Sarmiento, Pool Attendant, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.00
CONTRACT NO: **2004/2005-040**
41. CONTRACTOR: Natalie Schaffino, Lifeguard, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.40
CONTRACT NO: **2004/2005-041**
42. CONTRACTOR: Endi Silva, Pool Attendant, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.80
CONTRACT NO: **2004/2005-042**
43. CONTRACTOR: Joshua D. Solorza, Lifeguard, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.00
CONTRACT NO: **2004/2005-043**

44. CONTRACTOR: Guillermo Soriano, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-044**
45. CONTRACTOR: Angelina Stringfield, Senior Lifeguard, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.60
CONTRACT NO: **2004/2005-045**
46. CONTRACTOR: Lauren A. Tenneson, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-046**
47. CONTRACTOR: Hernan Torres, Lifeguard, Step 2
DATES: October 01, 2004 through September 30, 2005
RATES PER HR: \$6.20
CONTRACT NO: **2004/2005-047**
48. CONTRACTOR: Albert Zamarripa, Lifeguard, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.40
CONTRACT NO: **2004/2005-048**

CAROLINA RECREATION CENTER

DEPARTMENT ID: 51510073, ACCOUNT: 501011

49. CONTRACTOR: Margie Landavazo, Preschool Instructor, Step 6
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$7.70
CONTRACT NO: **2004/2005-049**

PAVO REAL RECREATION CENTER

DEPARTMENT ID: 51510115, ACCOUNT: 501011

50. CONTRACTOR: Veronica Becerra, Daycare Instructor, Step 2
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-050**
51. CONTRACTOR: Karina Chavez, Daycare Instructor, Step 2
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-051**
52. CONTRACTOR: Angelica M. Juarez, Pre-school Instructor, Step 1
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$6.45
CONTRACT NO: **2004/2005-052**

53. CONTRACTOR: Alma R. Saavedra, Daycare Instructor Aide, Step 2
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-053**
54. CONTRACTOR: Elsa Taylor, Pre-School Instructor, Step 2
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$6.70
CONTRACT NO: **2004/2005-054**

NOTE: Contract #33 was revised to remove the comma on the name.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.

ACOSTA SPORTS CENTER

DEPARTMENT ID: 51010215, ACCOUNT 502215

1. CONTRACTOR: Beatrice Castillo, Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$10.00 per game
CONTRACT NO: **2004/2005-045**
2. CONTRACTOR: Anthony Crank, Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$10.00 per game
CONTRACT NO: **2004/2005-046**
3. CONTRACTOR: El Paso Umpires Association, Umpires & Score Keepers
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$58.00 per game
CONTRACT NO: **2004/2005-047**
4. CONTRACTOR: Fernando Gonzalez, Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$10.00 per game
CONTRACT NO: **2004/2005-048**
5. CONTRACTOR: Joe V. Hernandez, Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$10.00 per game
CONTRACT NO: **2004/2005-049**

CAROLINA RECREATION CENTER

DEPARTMENT ID: 51510073, ACCOUNT: 502214

6. CONTRACTOR: Alba Rubio, Kickboxing Instructor
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$9.55
CONTRACT NO: **2004/2005-050**

GALATZAN RECREATION CENTER

DEPARTMENT ID: 51510131, ACCOUNT: 502214

7. CONTRACTOR: Vanessa Campos, Ballet Instructor
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$11.35
CONTRACT NO: **2004/2005-051**
8. CONTRACTOR: Katie Munoz, Gymnastics Instructor
DATES: September 02, 2004 through August 31, 2005
RATE PER HR: \$9.55
CONTRACT NO: **2004/2005-052**
9. CONTRACTOR: Guy Rosas, Martial Arts Instructor
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$11.35
CONTRACT NO: **2004/2005-053**

NOLAN RICHARDSON RECREATION CENTER

DEPARTMENT ID: 51510074, ACCOUNT: 502214

10. CONTRACTOR: Emmanuel Alfaro, Folklorico Instructor
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$10.00
CONTRACT NO: **2004/2005-054**

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Personal Services Contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2004-2005 appropriations to be approved by the City Council.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Abraham Barragan, Indoor Pool Manager, Step 1
DATES: September 1, 2004, through August 31, 2005
RATE PER HR: \$7.75
CONTRACT NO: 2004/2005-006
2. CONTRACTOR: Gabriel E. Chavez, Indoor Pool Manager, Step 5
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$8.75
CONTRACT NO: 2004/2005-007
3. CONTRACTOR: Joel R. Hill, Senior Lifeguard, Step 4
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$7.20
CONTRACT NO: 2004/2005-008

4. CONTRACTOR: Charlotte Y. Jordan, Indoor Pool Manager, Step 4
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$8.50
CONTRACT NO: 2004/2005-009
5. CONTRACTOR: Carlos A. Rodriguez, Swim Instructor Coordinator, Step 4
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$7.90
CONTRACT NO: 2004/2005-010
6. CONTRACTOR: Jennifer K. Sanchez-Ruiz, Indoor Pool Manager, Step 3
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$8.25
CONTRACT NO: 2004/2005-011
7. CONTRACTOR: Angelica Terrazas, Lifeguard, Step 4
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$6.40
CONTRACT NO: 2004/2005-012
8. CONTRACTOR: Amy L. Wheeler, Indoor Pool Manager, Step 3
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$8.25
CONTRACT NO: 2004/2005-013
9. CONTRACTOR: Jimmy J. Zambrano, Indoor Pool Manager, Step 4
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$8.50
CONTRACT NO: 2004/2005-014

MULTI-PURPOSE COMMUNITY CENTER

DEPARTMENT ID: 51510032, ACCOUNT: 501100

10. CONTRACTOR: Anna L. Thornton, Daycare Director
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$9.25
CONTRACT NO: 2004/2005-015

NORTHEAST RECREATION CENTER

DEPARTMENT ID: 5110107, ACCOUNT: 501011

11. CONTRACTOR: Olga G. Armendariz, Daycare Director, Step 6
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$9.25
CONTRACT NO: 2004/2005-016
12. CONTRACTOR: Teri Herring, Assistant Daycare Coordinator, Step 6
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$9.25
CONTRACT NO: 2004/2005-017
13. CONTRACTOR: Priscilla Olson, Assistant Daycare Coordinator, Step 6
DATES: September 01, 2004, through August 31, 2005
RATE PER HR: \$9.25
CONTRACT NO: 2004/2005-018

- PAVO REAL RECREATION CENTER**
DEPARTMENT ID: 51510115, ACCOUNT: 501011

- *RESOLUTION**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **LESLIE CONNOR CANADA**, to assist the Police Department as a Domestic Abuse Response Team Case Manager at an hourly rate of \$12.50 for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **LEAH E. MOORE**, to assist the Police Department as a Domestic Abuse Response Team Case Manager at an hourly rate of \$12.50 for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

*RESOLUTION

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ESTELLA GONZALEZ SHAW**, to assist the Police Department as a Crime Victim Services Supervisor, at a biweekly rate of \$1,157.60, for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

*RESOLUTION

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **GLORIA GONZALEZ-GRAELLS**, to assist the Police Department as a Victim Services Volunteer Coordinator at an hourly rate of \$12.30 for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ANGELINA AVILA**, to assist the Police Department as a Translator Specialist at an hourly rate of \$15.98 for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

.....
Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to sign an Agreement with DESIGNER'S MART to provide One (1) Four cubic yard Container for a service fee of \$15.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

Representative Lozano was not present for the vote.

Representative Cobos commented.

.....
***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 7th day of September, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3229 Gateway West Boulevard, in El Paso, Texas, which property is more particularly described as:

The East ½ of Lot 21 and all of Lot 22, Block 61, East El Paso, an Addition to the City of El Paso, El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Iglesia De Dios Vivo Columna Y Apoyo De La Verdad – La Luz Del Mundo, 3229 Gateway West Boulevard, El Paso, Texas 79903-4225, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Arbour Green Unit One, Phase I
Owner/Developer: JNC Development Inc.
Consultant: Conde Inc.

Street Improvements:

Mike Godwin Drive - from the northeast subdivision boundary line to the west property line of Manny Aquilera Drive

Manny Aguilera Drive.-from the east property line of Mike Godwin Drive to the southwest property line between Lots 25 and 26, Block 2

Jose Ortiz Lane.-from the southwest property line between Lots 25 and 26, Block 2 to the west property line of Manny Aguilera Drive

Bocanegra Court.-from the east property line of Manny Aguilera Drive to the southeast subdivision boundary line

Drainage Improvements:

Existing Retention Ponding Area.-with a 1.82 ac. Area and a 21.60 ac-ft. Capacity;
3-Thrust Block Structure with Concrete Rip-Rap; 125.59 ft. of 24" R.C.P.;
43.73 ft. of 48" R.C.P.; 2-Junction Box/72" Manhole; 802 ft. x 6 ft. high Rock Wall Fence; and 1- Water
Depth Gauge

Manny Aguilera Drive.- 40.83 ft. of 24" R.C.P.; and 1-Junction Box/72" Manhole

Bocanegra Court.-136.72 ft. of 42" R.C.P.; and 1-Junction Box/72" Manhole

Storm Drainage System. -

1-4 Grate Drop Inlet Type I, at Mike Godwin Drive

1-3 Grate Drop Inlet Type I; at Jose Ortiz Lane

20 ft. Drainage R.O.W. and P.S.B. Easement.-between Lots 40 and 41, Block 4; 2-18 ft. Wrought Iron
Gate; and 220 ft. x 6 ft. high Rock Wall Fence with 20 ft. x 3 ft. high Wrought Iron Fence

20 ft. Drainage R.O.W. and P.S.B. Easement.-between Lots 78 and 79, Block 2; 1-18 ft. Wrought Iron
Gate; and 240 ft. x 6 ft. high Rock Wall Fence with 20 ft. x 3 ft. high Wrought Iron Fence

20 ft. Drainage R.O.W. and P.S. B. Easement.-between Lots 56 and 57, Block 2; 1-18 ft. Wrought Iron
Gate; and 240 ft. x 6 ft. high Rock Wall Fence with 20 ft. x 3 ft. high
Wrought Iron Fence

20 ft. Drainage R.O.W.-between Lots 53 and 54, Block 2; 177.47 ft. of 24" R.C.P.;
1- Junction Box/48" Manhole; 1-18 ft. Wrought Iron Gate; and 326 ft. x 6 ft. high
Rock Wall Fence with 20 ft.x 3 ft. high Wrought Iron Fence

15 ft. Drainage Easement.-at Lot 46, Block 2; 187.76 ft. of 48" R.C.P.

15 ft. Drainage Easement.-at Lot 40, Block 2; 130.58 ft. of 30" R.C.P.

20 ft. Drainage R.O.W. and P.S.B. Easement.-between lots 36 and 37, Block 2; 232.72 ft. x 6 ft. high Rock
Wall Fence; and 1-18 ft. Wrought Iron Gate

25 ft. P.S.B. Easement.-located at the southeast subdivision boundary line; 968.4 ft. of 36" R.C.P.; 2- 4
Grate Drop Inlet Type H with Wing Wall Structure; and 3- Junction Box/72" Manhole

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to
approve the request to fill the following positions on a temporary basis in accordance with Article VI,
Section 6.6-3, of the Civil Service Charter Provisions:

Building Maintenance Worker I (1)
Laborer (1)

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to
approve the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil
Service Charter Provisions:

Carpenter (1)

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to re-appoint Willie R. Padilla, Jr. to the Mayor's Advisory Board on Aging by Representative Robert A. Cushing, Jr., District 2.

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following locations:

- A. Between 9010 & 9012 Mercury Street Cost: \$464.00
- B. Street Light at Northwest corner of Mansfield Avenue @ Riverview Cir.
Cost: \$1,699.00 to include the installation of the intermediate pole between 552 & 554 Riverview and the overhead connection for street light.

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried that the following tax refund be approved:

Accredited Home Lenders in the amount of \$8,640.49 overpayment of 2003 taxes.
(PID #M713-999-0000-2100)

Representative Escobar was not present for the vote.

.....
Motion made by Representative Lozano, seconded by Representative Cobos and unanimously carried to postpone three (3) weeks the following item:

Representative Lozano authorizes the use of District 3 Discretionary Funds in the amount of approximately \$650 for a temporary water-filled barricade, with two road closed ahead signs, for 30 days on Glengarry between Catnip and Backus streets for a study on the effect of traffic on this street.

NOTE: This item was discussed together with the Introduction of an Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Of The El Paso Municipal Code, To Delete Subsection Identifying The Speed Limit As Thirty-Five Miles Per Hour On Glengarry Avenue from McRae Boulevard to Darlina Drive. The Penalty Is As Provided In Section 12.84.010 of The El Paso Municipal Code.

Representatives Lozano, Rojas and Cobos commented and asked questions.

Mr. Rene A. Rosales, citizen, spoke in support of closing Glengarry to through traffic and submitted a petition (petition on file in the City Clerk's Office).

Mr. Joe Neugebauer and Ms. Patricia Rodriguez, citizens, expressed their concerns.

Ms. Terry Cullen-Garney, Deputy City Attorney, gave legal advice.
Mr. Ted Marquez, Engineering Department - Traffic Division, and Ms. Irene Ramirez, Interim City Engineer, gave the particulars and answered questions from Council Members.

Mr. Daryl Cole, Director of Streets, provided more information.
.....

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request that the Director of Purchasing be authorized to exercise the City's option to extend the term of the agreement for two additional years, from September 21, 2005 to September 21, 2007 pursuant to the provisions of Contract 2002-195 with Alamo Auto Supply, El Paso, Texas for Emergency Lighting, Warning & Communication Equipment & Installation.

Department: Fleet Service
Funds available: 37370510-503121-45202
Funding source: Fleet Service Internal Service Fund
Total award: \$60,000.00 (total two year extension)

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request that the Director of Purchasing be authorized to exercise the City's option to extend the term of the agreement for two additional years, from September 21, 2005 to September 21, 2007 pursuant to the provisions of Contract 2002-196 with Alamo Auto Supply, El Paso, Texas for General Vehicle Accessories & Installation.

Department: Fleet Service
Funds available: 37370510-503121-45202
Funding source: Fleet Service Internal Service Fund
Total award: \$60,000.00 (total two year extension)

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to award Bid No. 2004-216 Tactical Body Armor

Award to: Southwest Law Enforcement Sales, Inc.
El Paso, Texas
Item (s): #1
Amount: \$15,960.00 (estimated)

Department: Police
Funds available: 04200401-508007-PMB0005009
Funding source: Capital-Public Safety Equipment
Total award: \$15,960.00 (estimated)

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one time) purchase, for Tactical Body Armor for the Police Department.

Vendor offers the City the option to purchase 100% of the original contract quantities at the same unit prices if the option is exercised within ninety (90) days from date of the award.

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to award Bid No. 2004-218 GMC/Chevrolet Proprietary Parts & Service-Heavy Duty Vehicles

Award to: Bravo Cadillac Hummer
El Paso, Texas
Item (s): #1, #1A & #1B
Amount: \$60,000.00 (estimated annually)

Department: Fleet Service
Funds available: 37370510-503121-45202
Funding source: Fleet Service Internal Service Fund
Total award: \$180,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

No options offered.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve budget transfer BT2004-1062 PARKS AND RECREATION

This budget transfer requests an appropriation increase to fund payments for Independent Contractors at Acosta Sports. Revenue from league and tournament play has increased.

Increase	\$8,000	to	51010215/P50020216302/407002	EstRev
Increase	\$8,000	to	51010215/P50020216302/502215	OutsideCnts

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve budget transfer BT2004-1151 INFORMATION TECHNOLOGY

To establish appropriations to pay for installation of fiber optic cabling, per July 7, 2004 City Council Resolution and Interlocal Agreement between City of El Paso and UTEP.

Increase	\$128,550	to	39390100/P39000127703/405060	Donations
Increase	\$128,550	to	39390100/P39000127703/502215	OutsideCnts

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of The American Heart Association to hold a non-competitive walk on September 11, 2004 from 7:00 a.m. to 10:30 a.m. Route: Start at the Chamizal Nat'l Park to Delta Dr. proceed on Delta Dr. to Boone St., turn left on Boone St. to Paisano, turn right on Paisano to Washington St., turn left on Washington St. to the El Paso Zoo parking, turn around to Washington St., turn right on Washington to Paisano, turn right on Paisano to Boone St., turn left on Boone St. to Delta, turn right on Delta and finish at the Chamizal Nat'l Park. Approximately 2,000 persons and 1 vehicle will take part. This request includes permission to use amplification (5,000 person capacity amplifier, 1 microphone for entertainment only). PERMIT NO. 04-077 [Bruno Gonzalez]

Representative Escobar was not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of Alzheimer's Association STAR Chapter to hold a 5k walk/run on September 26, 2004 from 8:00 a.m. to 11:00 a.m. Route: Start at Cohen Stadium's parking lot to Cohen St., turn right on Cohen St. to Kenworthy St., turn right on Kenworthy St. to Spring Rd., turn right on Spring Rd to San Andres St., turn left on San Andres St. to Folsom St. turn left on Folsom St. to Kenworthy St., turn left on Kenworthy, and finish at Cohen Stadium. Approximately 1,000 persons, 400 vehicles, 30 animals will take part and 100 spectators are anticipated. This request includes permission to use amplification (Cohen Stadium P.A. system). . PERMIT NO. 04-079 [Frank Lopez]

Representative Escobar was not present for the vote.

.....
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of Abundant Living Faith Center to use amplification (Mixer 650 Watts – 3 Microphones – 2 speakers) at Carolina Park on August 20, 2004 from 4:00pm to 9:00pm. Approximately 6 persons will take part and 1500 spectators are anticipated. PERMIT NO. 04-082 [Elena Delman]

Representative Escobar was not present for the vote.

.....
Item: Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Mesa) on August 28, 2004 and September 11, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will take part and 4,500 spectators are anticipated for each event. PERMIT NO. 04-080 [Kenneth Rico Velasquez]

Representative Austin expressed her concern regarding the large number of spectators.

Mayor Wardy and Representatives Lozano and Cobos commented.

Mr. R. Alan Shubert, Director of Building, Permits and Inspections, commented and answered questions from Council Members.

Mr. Matt Watson, Assistant City Attorney, gave legal advice.

Mr. Robert Pearson, Keith Pannell, Ron Stewart and Ken Velasquez addressed the Council.

Motion made by Representative Austin, seconded by Representative Cobos and carried to approve the **revised** request of Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Mesa) on August 28, 2004 only from 7:00 p.m. to 10:00 p.m. with a limit of 3,000 spectators.

AYES: Representatives Austin, Cushing, Cook, Escobar and Cobos

NAYS: Representatives Lozano and Rojas

EXCUSED: Representative Power

NOTE: the following three items were discussed together:

1. Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Mesa) on August 28, 2004 and September 11, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will take part and 4,500 spectators are anticipated for each event. PERMIT NO. 04-080 [Kenneth Rico Velasquez]
2. Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Stanton) on September 12, 2004, and October 30, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will take part and 300 spectators are anticipated on September 12, 2004 and 4,500 spectators are anticipated on October 30, 2004. PERMIT NO. 04-081 [Kenneth Rico Velasquez]

- 3. An Ordinance granting a Special Privilege to Kern Place Merchants Association to temporarily close a portion of Cincinnati Ave. between Mesa Street and Stanton Street for a "Schools Out" celebration on Saturday, August 28, 2004 and Sunday, August 29, 2004. (Consideration: \$137.50, SP-04002)**
[Building Permits & Inspections, Raymond Bonilla, (915) 541-4767]

.....
*Motion made by Representative Austin, seconded by Representative Cobos and unanimously carried to postpone two (2) weeks the request of Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Stanton) on September 12, 2004, and October 30, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will take part and 300 spectators are anticipated on September 12, 2004 and 4,500 spectators are anticipated on October 30, 2004. PERMIT NO. 04-081
[Kenneth Rico Velasquez]

See discussion for previous request.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete the introduction of an Ordinance rescinding Ordinance No. 15775, and authorizing the Mayor to sign a Contract of Sale, Special Warranty Deed, Release of Lien and all other related documents, conveying to George Anthony Herrera the west 30 feet of the east 60.30 feet of Lots 1-3, inclusive, Block 36, Magoffin's addition, an Addition to the City of El Paso, El Paso County, Texas (1025 E. Eighth Avenue).

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete the introduction of an Ordinance amending Title 13 (Streets, Sidewalks and Public Places), To create Chapter 13.30 (Film-making Events), of the El Paso Municipal Code; To create provisions for the issuance of permits for certain types of uses of streets, alleys and other areas owned by the City; To establish criteria for the Consideration, Issuance and Revocation of the Permits; To provide for the issuance of permits; To establish fees; To provide for an appeal process; and To Create duties for Permittees and Participants; the penalty being as provided in Section 13.30.110 of the Municipal Code.

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete the introduction of an Ordinance changing the zoning of Tract 4B, Block 29, Ysleta Grant, El Paso, El Paso County, Texas (220 Lafayette Drive) and all of Lot 3, Block 1, White Oaks Subdivision from R-F (Ranch-Farm) to R-3 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Jose Chavez. ZON04-00080

Representative Escobar was not present for the vote.

.....
Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 15 (Public Services), To amend Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses) of the El Paso Municipal Code by adding Subsection 15.08.120.C.9 to recognize the creation of Chapter 13.30 of this Code which addresses the issuance of permits for film making events; the penalty being as provided in Section 13.30.130 of the Municipal Code.**
- B. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Of The El Paso Municipal Code, To Delete Subsection Identifying The Speed Limit As Thirty-Five Miles Per Hour On Glengarry Avenue from McRae Boulevard to Darlina Drive. The Penalty Is As Provided In Section 12.84.010 of The El Paso Municipal Code.**

- C. An Ordinance vacating a portion of Ethel Road adjacent to Sunset View Subdivision Unit 1, W.H. Lenox Survey No. 432, Nellie D. Mundy Survey No. 241, J.L. Johannsen Survey No. 185, and S.A. & M.G. R.R. Co. Survey No.'s 265 and 266, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON AUGUST 31, 2004 FOR ITEMS A – C

- D. An Ordinance granting Special Permit No. ZON04-00092 to satisfy parking requirements for Parcel I described as Lots 14 -16, Block 57, Franklin Heights, El Paso, El Paso County, Texas; by allowing off-site off-street parking on Parcel II, described as Lots 15 & 16, Block 74, Franklin Heights, El Paso, El Paso County, Texas (1830 Rio Grande Avenue) pursuant to Section 20.22.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: G & G Malooly Limited Partnership.
- E. An Ordinance changing the zoning of Tract A, Monte-Cito Addition No. Three, El Paso, El Paso County, Texas from R-3 (Residential) to R-3A (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Carefree Land Company, L. P. ZON04-00088
- F. An Ordinance changing the zoning of Tract 2, Block 1, Upper Valley Surveys, El Paso, El Paso County, Texas (Sunland Park Drive South of Doniphan Drive) from R-3 (Residential) to C-3 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ben A. Lanford. ZON04-00090

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 7, 2004 FOR ITEMS D – F

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete the discussion and action on a tourism budget proposal for billboards, brochures, signage, and bus wraps.

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete the discussion and action that the City of El Paso partner with the Empowerment Zone on the development of Texas Avenue as a tourism district, and instruct staff to prepare proposal(s) to be presented to city council within 180 days.

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete the discussion and action on the creation of a separate office of Tourism within the Department of Economic Development.

Representative Escobar was not present for the vote.

.....
Item: Discussion and action on the adoption of strategic and funding priorities for the Community Development Block Grant (CDBG) Social Service Collaboratives for the 31st CD Program Year (2005-2006), including, but not limited to, revising the funding allocations to the Social Service Collaboratives approved at the July 9, 2004 Special City Council Meeting.

Representative Austin abstained from the vote (affidavit on file in the City Clerk's Office).

Ms. Florence Fowler, El Paso Center of the Deaf and Hard of Hearing, and Mr. John Romero, Centro San Vicente, requested a study and the opportunity for the collaboratives to work with the City:

Mr. Bill Scheslinger, citizen, expressed his concern for the children and the homeless.

Ms. Debbie Hamlyn, Deputy Chief Administrative Officer of Quality of Life Services, made comments and answered questions from Council Members.

Mr. Ray Tullius, Opportunity Center, expressed his concerns for the homeless.

1st Motion:

Motion made by Representative Cook, seconded by Representative Lozano and unanimously carried to take \$32,500 from Children and Youth and the Homeless collaboratives and apply it to Economic Opportunity.

Representative Cook withdrew his motion.

2nd Motion:

Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to cut \$12,518.10 from Children, Youth and Homeless and apply it to Economic Opportunity.

Representative Cobos withdrew his motion.

3rd Motion:

Motion made by Representative Cook, seconded by Representative Cobos and carried to reduce allocations from the 30th year funding levels by \$25,000 from the Homeless Collaborative; \$8,371 from the Children and Youth Collaborative; \$8,371 from the Health and Mental Health Collaborative, and \$8,371 from the Senior and the Disabled Collaborative in order to increase by \$50,113 the Economic Opportunities Collaborative.

AYES:	Representatives Lozano, Cook, Rojas and Cobos
NAYS:	Representatives Cushing and Escobar
ABSTAINED & NOT PRESENT:	Representative Austin (affidavit on file in the City Clerk's Office)
EXCUSED:	Representative Power

.....
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is hereby authorized to sign an Employment Agreement, a copy of which is attached hereto as Exhibit "A" (Exhibit "A" on file in the City Clerk's Office) with Joyce Wilson to perform the duties of City Manager of the City of El Paso, Texas.

Ms. Joyce Wilson thanked the Council Members for her appointment.

Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried to approve the Resolution.

.....
Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to recess this meeting at 12:00 p.m.

.....
Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried to reconvene this meeting at 12:30 p.m.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone until the Regular City Council Meeting of December 14, 2004 the discussion and action on committee report and recommendations regarding the Non-Uniformed City Employee Pension Fund.

Representative Escobar was not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week the discussion and action on a Resolution that the City accepts the dedication of a Street Right-of-Way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A" from Frontera Vista L.P., a Texas Limited Partnership.

Representative Escobar was not present for the vote.

.....
Motion made by Representative Cook, seconded by Representative Lozano and unanimously carried to award Bid No. 2004-212 Adult & Juvenile Material (Books, Audio, VHS, CD & DVD)

Award to:	Baker & Taylor, Inc. Charlotte, NC
Item (s):	#1 thru #5 (all)
Amount:	\$1,000,000.00 (estimated annually)
Department:	Library
Funds available:	31130563-508039-PPW0056003YR2
Funding source:	60005-Library Books & Materials
Total award:	\$3,000,000.00 (estimated)

The El Paso Public Library and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Representative Rojas was not present for the vote.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to approve budget transfer BT2004-1154 TAX

To appropriate funding for anticipated increase in delinquent tax collection.

Increase	\$700,000	to	06010022/01101/502201	CollectAgency
Increase	\$700,000	to	99010335/01101/401004	DelinqTaxColl

Representative Lozano was not present for the vote.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, gave the particulars and answered questions from Council Members.

Representatives Austin and Cushing made comments and asked questions.

.....

AYES: Council Members Austin, Lozano, Cushing, Cook, Escobar and Cobos
NAYS: None Absent: Council Member Power

Council Member Rojas was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted as amended.

.....
ORDINANCE 15848

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING - TOW-AWAY ZONE), SUBSECTION (A) OF THE EL PASO MUNICIPAL CODE, BY ADDING THREE NEW LOCATIONS ON RESLER DRIVE. THE PENALTY BEING AS PROVIDED IN SECTION 12.88.180 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Austin, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: Council Member Power

Council Member Lozano was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15849

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING -TOW-AWAY ZONE), SUBSECTION (A) OF THE EL PASO MUNICIPAL CODE, BY ADDING THREE NEW LOCATIONS ON REDD ROAD. THE PENALTY BEING AS PROVIDED IN SECTION 12.88.180 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Austin, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cushing, Escobar, Rojas and Cobos
NAYS: None Absent: Council Member Power

Council Member Cook was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....

ORDINANCE 15850

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES AND REGULATIONS, RULE 16, HEARINGS, SECTION 2, CONTINUANCE OF APPEALS HEARINGS, TO CHANGE THE PROCEDURES FOR REQUESTING AND GRANTING A CONTINUANCE.**

Mr. William Ellis, Chairman for Civil Service Commission, gave the particulars.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cushing, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cushing, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: Council Member Power

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week an Ordinance changing the zoning of a portion of Tract 225, Sunrise Acres No. Two, El Paso, El Paso County, Texas (4650 Vulcan Drive) from R-4 (Residential) to A-M (Apartment-Mobile Home Park). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Martha P. Yee / Representative: Luis De La Cruz, 9013 Lait Drive, El Paso, TX 79925. ZON04-00045
.....

ORDINANCE 15851

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 17C157, BLOCK 79, SECTION 8, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (JOE BATTLE BOULEVARD NORTH OF LORENZO RUIZ AVENUE) FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Planning, Research and Development, provided the particulars.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: Council Member Power

Council Member Lozano was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week an Ordinance changing the zoning of a Portion of Tract 1, Section 44, Block 79, Township 2, T & PRRC Surveys, El Paso, El Paso County, Texas (Northwest of the intersection of Pebble Hills and Loop 375) from R-3 (Residential) to C-3 and C-2 (Commercial) and imposing certain conditions.

The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00067. Applicant: River Oaks Properties / Representative: SLI Engineering, Inc., 6600 Westwind, El Paso, TX 79912. **THIS IS AN APPEAL CASE.**

Representative Escobar was not present for the vote.

.....
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week an Ordinance changing the Zoning of Tract 26-A, Block 29, Ysleta Grant, El Paso, El Paso County, Texas, (108 Seneca Drive) from C-3 (Commercial) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Antonio Cobos; Representative: Jesus Jaime; 436 Bahia Kino, El Paso, TX 79915. ZON04-00075

Representative Lozano was not present for the vote.

Mr. Rudy Valdez, Planning, Research and Development, provided the particulars and answered questions from Council Members.

Representatives Rojas and Cobos commented and asked questions.

.....
ORDINANCE 15852

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00079 TO SATISFY PARKING REQUIREMENTS FOR PARCEL I DESCRIBED AS A PORTION OF SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEY, EL PASO COUNTY, TEXAS; BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL II, DESCRIBED AS A PORTION OF SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEY, EL PASO COUNTY, TEXAS (4707 FRED WILSON) PURSUANT TO SECTION 20.46.040 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Cook, Escobar and Cobos
NAYS: None Absent: Council Member Power

Council Members Lozano and Rojas were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15853

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM (TAX RESALE) DEED FOR LOT 1, BLOCK 14, HORIZON CITY ESTATES, UNIT #93, BEING MORE PARTICULARLY DESCRIBED IN VOLUME 986, PAGE 1240, DEED RECORDS OF EL PASO COUNTY, TEXAS.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Cook, Escobar and Cobos
NAYS: None Absent: Council Member Power

Council Members Lozano and Rojas were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ADDITION TO THE AGENDA

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to delete the discussion and action on City Attorney's Office. [Anita Blair]

Representative Escobar was not present for the vote.

No action was taken on the discussion and action for City Council to require for the Chief of Police and other law enforcement agencies to investigate and to adopt and follow procedures regarding the enforcement of the Texas Penal Code on aggravated sexual assault, section 22.021, that states that it is prohibited all sexual penetration of a person under the age of 17, force is not required; consent is not a defense, nor is there any exception for sexual relations with the person not more than three years older than the victim. Even though Texas Law requires a report, several local agencies involve in the protection of minors are not filing the required report with the local law enforcement agencies. And in some instances, when the report is filed, law enforcement agencies are failing to investigate. [People Helping Women]

See discussion on page two.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a MEMORANDUM OF UNDERSTANDING approved by City Council on August 17, 2004, between the El Paso Empowerment Zone and the City of El Paso to allow for the first annual Neighborhood Summit; and that the City's Neighborhood's Initiatives Liaison is hereby authorized to execute any budget transfers consistent with funds received or to be received from Mayor & Council and the El Paso Empowerment Zone which are necessary in order to accomplish the intent of this Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of Planning, Research and Development department be authorized to submit an initial grant proposal to the Environmental Protection Agency, for the purpose of conducting public outreach and education forums on smart growth, infill development and brownfields redevelopment, in the amount of FORTY-FIVE THOUSAND AND NO/100 DOLLARS (\$45,000). No local match required.

*Motion made by Representative Cobos, seconded Representative Cook and unanimously carried to delete a Resolution that the Mayor be authorized to sign an Agreement granting an Overhead Electrical Easement to the El Paso Electric Company within Memorial Park, El Paso County, Texas.

Representative Escobar was not present for the vote.

Motion made by Representative Cushing, seconded by Representative Rojas and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 2:08 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- A. James Terrell vs. City of El Paso, et al. (551.071)
- B. Robert Millard, et al vs. The City of El Paso, et al, Cause No. 2000-3128. (551.071)
- C. Carmax Auto Superstores v. City of El Paso. (551.071)
- D. Jacob Telles v. City of El Paso, et al. (551.071)
- E. Discussion and action on pending claim regarding Daphny Pashchall. (551.071)
- F. Discussion and action on pending claim regarding Jose F. Galaviz. (551.071)
- G. Discussion and action on pending claim regarding Daniel E. Martinez. (551.071)
- H. Discussion and action on pending claim regarding Maria Rochin. (551.071)
- I. Discussion and Action regarding Lot 33, Block 5, COLONIA DEL VALLE ADDITION, El Paso, El Paso County, Texas, known and numbered as 9101 Cuernavaca. (551.071)
- J. Discussion and action regarding Lot 1466, Block 60, MOUNTAIN VIEW ADDITION, El Paso County, Texas, known and numbered as 5021 Mt. Vernon. (551.071)

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to adjourn the Executive Session at 2:32 p.m. and reconvene the meeting of the City Council, during which time motions were made.

Representative Lozano was not present for the vote.

.....
Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried that the City Attorney's Office be authorized to **HIRE AN EXPERT WITNESS** in the case entitled **JAMES TERRELL vs. THE CITY OF EL PASO, et al.**, as recommended by the City Attorney's Office.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the City Attorney **NOT PURSUE AN ADDITIONAL APPEAL** in the lawsuit entitled **ROBERT MILLARD, et al vs. CITY OF EL PASO, et al, Cause No. 2000-3128**, as recommended by the City Attorney.

.....
No action was taken on the following executive session item:

Carmax Auto Superstores v. City of El Paso. (551.071)
.....

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the City Attorney's Office be authorized to **HIRE AN EXPERT WITNESS** in the case entitled **JACOB TELLES vs. THE CITY OF EL PASO, et al.**, as recommended by the City Attorney's Office.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and carried that the claim entitled **DAPHNY PASCHALL and JAMES PASCHALL**; be **DENIED** as recommended by the City Attorney.

AYES: Representatives Austin, Cushing, Cook, Escobar and Cobos
NAYS: Representative Rojas
NOT PRESENT: Representative Lozano
EXCUSED: Representative Power

.....
Motion made by Representative Cobos, seconded by Representative Cushing and carried that the claim entitled **JOSE F. GALAVIZ**; be **DENIED** as recommended by the City Attorney.

AYES: Representatives Austin, Cushing, Escobar, Rojas and Cobos
NAYS: Representative Cook
NOT PRESENT: Representative Lozano
EXCUSED: Representative Power

.....
Motion made by Representative Cobos, seconded by Representative Cushing and carried that the claim entitled **DANIEL E. MARTINEZ**; be **DENIED** as recommended by the City Attorney.

AYES: Representatives Austin, Cushing, Cook, Escobar and Cobos
NAYS: Representative Rojas
NOT PRESENT: Representative Lozano
EXCUSED: Representative Power

.....
Motion made by Representative Cobos, seconded by Representative Cushing and carried that the claim entitled **MARIA ROCHIN**; be **DENIED** as recommended by the City Attorney.

AYES: Representatives Austin, Cushing, Cook, Escobar and Cobos
NAYS: Representative Rojas
NOT PRESENT: Representative Lozano
EXCUSED: Representative Power

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the City Council of the City of El Paso hereby accepts the sum of \$5,535.87 as excess sale proceeds from the first lien foreclosure on the following property:

Lot 33, Block 5, COLONIA DEL VALLE ADDITION, El Paso County, Texas, known and numbered as 9101 Cuernavaca;

and that the Mayor be authorized to sign a Receipt and Release Agreement acknowledging the above payment, as recommended by the City Attorney.

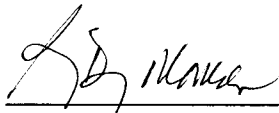
.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the City Council of the City of El Paso hereby accepts the sum of \$14,096.74 as excess sale proceeds from the first lien foreclosure on the following property:

Lot 1466, Block 60, MOUNTAIN VIEW ADDITION, El Paso County, Texas, known and numbered as 5021 Mt. Vernon.

and that the Mayor be authorized to sign a Receipt and Release Agreement acknowledging the above payment, as recommended by the City Attorney.

.....
Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to adjourn this meeting at 2:39 p.m.
.....

APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk